

BUSINESS RULES FOR THE CITY OF HAYWARD, CA



RED LIGHT PHOTO ENFORCEMENT PROGRAM



CITY OF HAYWARD, CALIFORNIA REDFLEX TRAFFIC SYSTEMS BUSINESS RULES

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Purpose of Business Rules

The intent of this document is to provide guidelines, structure and methods of operation for the various functions that comprise a red light camera program. The rules encompass an array of procedures that direct the work of Redflex Traffic Systems (RTS) employees. Though the contract is the controlling document outlining various obligations of RTS and the city, these rules define specific operational components of the program. These rules may be amended from time to time at the direction of the city, when legislative changes occur, or when RTS updates or changes a procedure. When it is necessary to modify a function defined herein, that change will be noted in the revision history. It is also encouraged to review these rules on no less than an

annual basis. A copy of the rules will be retained by RTS and the city. Any change to the rules will require notice to the other party.

Citation Information/ Court Procedures

1. The following minimum information shall be included on all citations (CVC 40518 (b)):
 - a. Registered owner name and address
 - b. License plate of vehicle
 - c. Violation and description
 - d. Date, time and location of offense
 - e. Specify whether a driver's license is commercial
 - f. Date, time and location of court appearance
 - g. Issuing officer's name, rank and ID number
 - h. The description of the offense as appears on the citation will be "Failure to Stop at Red Light."
 - i. The statute for red light running in California is: **CVC 21453 (a)**. This statute applies to a driver facing a steady circular red signal regardless of the movement the driver makes in violation of the provisions of this section. The statute for violating a steady red arrow is **CVC 21453 (c)**.
 - j. DOB or CDL
 - k. Physical description (if known, not required by statute)
2. The registered owner's name on the citation will read first, middle and last name with no commas.
3. Redflex will use the Notice to Appear template approved by the California Judicial Council.
4. The date of issue on the citation is the date Redflex printed and mailed the citation. This is different from the date of violation. Both dates are included on the citation.
5. Citation numbering format will be: W123456A
6. Affidavit of Non-Liability citation numbering format will be: W123456B, W123456C, W123456D etc

7. A courtesy notice will be mailed by the court.
8. Bail amount will not be printed on the back of the citation.
9. ~~The bail amount for a red light violation is \$381.00.~~
10. There is only one Notice to Appear that will be issue per violation. No additional Notices to Appear will be sent to the violator unless so requested by the court or police.
11. The “respond-by” or appearance date will be 60 calendar days from the date of issue, excluding holidays.
12. Adult defendants will be cited into the listed court:
Superior Court San Leandro-Hayward Judicial District
24405 Amador Street, Hayward Ca. 94544
Phone: 510-690-2701
Hours of operation: 8:00 am to 4:30 pm Monday through Friday
Web address: www.co.alameda.ca.us
13. Redflex will place an electronic file containing printed original and nominated citation information on the Redflex FTP site each day for court retrieval.
14. Juvenile defendants will be cited into the listed court. Same as #12

Juvenile cites will be placed on the FTP site the same as adults.
15. Redflex will receive a file transfer from the court listing court dispositions. If not, list what method is available for Redflex to receive disposition information.
16. Redflex programmers will contact the following court representative to obtain sample file layout, establish file transfer protocol, and set up a test environment.

Primary court IT contact:

Primary Court Contact:

Name: *****
Title: Systems Analyst
Phone: (510) 481-*****
Mailing Address: ***** Oak Street, Room **, Oakland, CA 94612
E-mail: *****@acgov.org

Alternate Contact

Name: *****
Title: Senior Systems Analyst
Phone: (510) 481-*****
E-mail: *****@alameda.courts.ca.gov

17. The primary Redflex contact for programming is:

Name: *****
Title: Manager Software Development
Work Phone: (623) ***-****
Mailing Address: ***** N 23rd Ave, Suite 150
Phoenix, AZ 85085
E-mail: *****@redflex.com

18. Failure to appear on a photo enforced citation will result in a civil sanction, e.g., declaration of judgment, referral to a collections agency, suspension of driver's license or license plates, lien on motor vehicle title or whatever other sanctions are authorized by the presiding court.

Contract Details/ Summary

19. The contract details are for:

- a. Up to 15 intersections with streaming video.
- b. The city shall assign a project manager: That person is:

Name: Jeff Lutzinger

Title: Sergeant

Mailing Address: 300 West Winton Ave

Work Phone: 510.293.****

E-mail: **@hayward-ca.gov**

- c. The individual responsible for invoices and other financial matters, if different:

Name: ****

Title: Senior Analyst

Mailing Address: 300 West Winton Ave

Wok Phone: 510-293-****

E-mail: ****@hayward-ca.gov

Note: Invoices are to be mailed to:

20.

- a. The City will be responsible for monthly service fees to the power provider at each photo enforced intersection.
- b. Redflex will be responsible for the installation and monthly service fees for the high speed Internet connection at each intersection.
- c. Redflex will be responsible for the fabrication, installation, and maintenance of all required Advisory Signs in compliance with the Department of Transportation's Traffic Manual.
- d. Redflex will not be responsible for the installation of LEDs.
- e. Redflex will be responsible for the hardware and software necessary to authorize citations. (Redflex to supply two laptop computers) See Item 39 for recommended specifications.
- f. The City, with Redflex cooperation, will be responsible for any/all Public Service Announcements to be made prior to the commencement of the warning period.

Warning Period/ Enforcement Procedures

21. Prior to issuing citations a 30-day warning period must commence (CVC 21455.5

(a)(2)(b)).

- c. The City does require a separate and independent warning period for each new approach that goes live once the initial warning period has been completed.
- d. The law enforcement agency will authorize incidents during the warning period.

22. The City WILL be responsible for all public announcements to be made in compliance with California Vehicle Code (CVC 21455.5 (a)(2)(b)). Attachment C, all sections relevant to automated photo enforcement.

23. The City will be responsible for assuring that the yellow signal light intervals conform to prevailing authority requirements set forth in California Vehicle Code **§21455.7:**

- (a) At an intersection at which there is an automated enforcement system in operation, the minimum yellow light change interval shall be established in accordance with the Traffic Manual of the Department of Transportation.
- (b) For purposes of subdivision (a), the minimum yellow light change intervals relating to designated approach speeds provided in the Traffic Manual of the Department of Transportation are mandatory minimum yellow light intervals.
- (c) A yellow light change interval may exceed the minimum interval established pursuant to subdivision (a).

See Appendix A, Cal Trans phasing interval chart and timing verification document.

23. Passengers' faces shall be masked on the citation.

24. Where only partial driver information is available or no DMV information is available, Redflex will process the incident with "dummy" information, check the "Incomplete Details" Box and place it in the police authorization queue. The name field will read "NOF", the address line will read "123 Any Street" and Redflex will mark the incident as "Incomplete Details".

- a. If the Hayward Police Department is able to obtain full details, they will uncheck the "Incomplete Details" box and Redflex will mail of **Notice to Appear**.
- b. If the Hayward Police Department is unable to obtain full details, they will leave the "Incomplete Details Box" checked in police authorization and Redflex will mail a **Notice of Violation** (Corporate Notice).

25. Redflex will reject violations for obvious mitigating events (i.e., funeral procession, officer-controlled intersection, parade, etc.) and for camera malfunctions.

26. Incidents where the driver's gender appears to be different than the registered owner's name will be placed in police authorization for disposition by the Hayward Police Department. The production department at Redflex will check the "Incomplete Details"

Box. If the police determine that a gender mismatch has not occurred they will uncheck the “Incomplete Details” Box and Redflex will mail a Notice to Appear. If the police believe a gender mismatch exists, the Incomplete Details box will remain checked and Redflex will issue a Notice of Violation.

27. Incidents involving traffic accidents will be placed in police authorization for disposition by the police department.

28. A Notice to Appear issued pursuant to CVC §40518 for an alleged violation recorded by an automated enforcement system shall contain, or be accompanied by, an Affidavit of Non-Liability and information as to what constitutes non-liability, information as to the effect of executing the affidavit, and instructions for returning the affidavit to the issuing agency.

29. Redflex will receive the Affidavit of Non-Liability, update the information, process the new citation and send it to the Hayward Police Department for approval. Once approved, the original citation will be placed on the Dismissal Report. The Hayward Police Department also has the option of updating citation information from an Affidavit of Non-Liability by accessing the appropriate web-site.

- a. Incomplete Affidavit of Non-Liability and/or other correspondence concerning a violation received by Redflex will be forwarded to the Hayward Police Department for disposition.
- b. It will be the responsibility of the Hayward Police Department to retrieve the dismissal list from the online reports link and deliver this to the court for final disposition.

30. Citations returned to Redflex with a forwarding address will be re-addressed and mailed to the new address. The citation will not be amended.

31. Citations returned to Redflex with no forwarding address will be forwarded to the Hayward Police Department to research a new address. If successful, the police will place the citation in a new envelope and mail the citation to the new address. The citation will not be amended. If the police are unsuccessful in their search for a new address, the police will update the status of the record to “**Bad Address**” in Redflex SmartOps Online application. Updating the record to this status will place the record on

the Dismissal Report. The police will generate the Dismissal Report and deliver it to the court, who will dismiss the citation or they may elect to receive the dismissal list via e-mail (see Attachment B)

Timelines

32. Redflex shall place offenses in the police authorization queue within 7 days of the violation.
33. The Hayward Police Department will authorize violations within 3 days of receipt from Redflex.
34. Redflex will mail the citation on or before the 11th day from the date of violation in order to meet proof of service requirements (CVC §40518 (a)).

A Certificate of Mailing will accompany each citation (CCP 1013 a).

Trial and Evidence Information

35. The Hayward Police Department will notify Redflex of upcoming trials by e-mail at least two weeks in advance to allow sufficient time to prepare court evidence packages. E-mails will be sent to: ****@redflex.com.

36. Redflex will mail court packages to:

Name: Hayward Police Department Traffic Bureau

Title: Red Light Program

Mailing Address: 300 West Winton Ave. Hayward, CA 94544

Work Phone: 510-293-****

E-mail: ****@hayward-ca.gov

37. The court evidence package will consist of the following and will comply with the Civil Code of Procedure §2015.5:

- Court Packs to be sent via CD/DVD
- Evidence package checklist
- Color copy of citation
- Four enlarged color photos of violation images

- Image log
- Maintenance log
- Certificate of Correct Functioning
- Nominations (if applicable)

Photo Viewing

38. Pursuant to CVC §21455.5 (f) the registered owner or any individual identified by the registered owner as the driver of the vehicle at the time of the alleged violation shall be permitted to review the photographic evidence of the alleged violation.

39. Please provide the following information regarding photo viewing:

- Phone number to call to request viewing: (510) 293-7236
- Address where the viewing will be held: 300 West Winton Ave. Hayward, CA 94544
- Days and times viewing available: 24 hours a day
- Viewing will not be by appointment only

40. Redflex will host a website whereby the notice recipient may view the violation video online at <http://www.photonotice.com> (city code: HYWDCA). Citizens may use computers in the public libraries to access the website.

Records Retention/ Confidentiality

41. Any and all photographic records made by Redflex Traffic Systems automated enforcement system and any confidential information obtained from the Department of Motor Vehicles will be retained for a minimum of six months from the date the information was first obtained, except as follows:

- Any individual incident captured by a red light camera system may be retained beyond the original six-month period provided Redflex Traffic Systems is notified by a law enforcement officer or qualified person who is authorized to access the SmartOps system and has a legal reason to request the evidence be retained.
- Except for court records described in Section 68152 of the Government Code, the confidential records and information described in paragraphs (1) and (2) may be retained for up to six months from the date the information was first obtained

or until final disposition of the citation, whichever date is later, after which time the information shall be destroyed in a manner that will preserve the confidentiality of any person included in the record or information (CVC §21455.5 (e) (3)).

- If your jurisdiction is part of a court system that provides this data electronically to RTS, the purge process is set to purge data 45 days from the date notification is given that the case has been disposed of. This will allow ample time for the 30-day period to file an appeal of a guilty verdict. If a defendant requests an appearance following a guilty verdict, the Hayward Police Department must use the “HOLD” flag in police authorization to notify RTS to hold the evidence for this citation until the appeal has been heard and a final disposition rendered. All other citation data without a final disposition will be retained by statute. **However, if the court stops providing required data we will purge all confidential information obtained through DMV six months from its receipt.**
- Notwithstanding Section 6253 of the Government Code, any other provision of law, photographic records made by an automated enforcement system shall be confidential, and shall be made available only to governmental agencies and law enforcement agencies and only for the purposes of this article. Confidential information obtained from the Department of Motor Vehicles for the administration or enforcement of this article shall be held confidential, and may not be used for any other purpose (CVC §21455.5 (e) (1) and (2)).

Recommended System Requirements

42. The following hardware and software specifications are minimum requirements:

Computer

Intel Pentium 4 2.0 GHz / AMD Athlon XP 2400+ or better

32 MB Graphics card or better

256MB RAM or better

40 GB Hard drive space or better

Monitor

17” screen size or better

1024 x 768 resolution or better

Operating System

Microsoft Windows XP SP1 or better
Microsoft Internet Explorer 6.0 or better
Microsoft Windows Media Player 9.0 or better

ISP

512kb/s download speed or better

Knockdown Procedures

43. In the event any RTS equipment is damaged and/or becomes non-functional due to a traffic collision or other similar cause it will be the responsibility of the law enforcement agency to take the following steps:

- (a) Notify the Customer Representative by phone
If unable to make personal notification, notify the Help Desk by phone or e-mail
- (b) Document the incident on an official police report
CHP 555 or other appropriate form
- (c) Secure the damaged poles, enclosures, or other RTS equipment
- (d) Forward all appropriate reports of the incident to RTS

Miscellaneous

44. Lane numbering will be in accordance with state DOT standards, if applicable.
Otherwise, lane numbering will be as follows: all lanes to be numbered sequentially from left to right, from median to curb, i.e., 1, 2, 3, 4, 5, etc. A lane that provides for either a straight through or a turn will be numbered as a straight through lane.
45. A password will be issued to each person who is authorized to access SmartOps.
46. Redflex will provide a toll free Help Desk number for **customer** inquiries from 6:00am to 6:00pm (MST). The Help Desk can be reached at **(800) ***-****** or ****@redflex.com.
47. Redflex will provide a toll free Call Center number for **citizen** inquiries from 7:00am to 5:00pm (MST). The Call Center number is **(877) 847-2338**.
48. A training program of up to sixteen hours will be provided to as many attendees as deemed necessary by the City. The session will be held either at Redflex Corporate

Offices in Pheonix, Arizona or within the local area, whichever is most feasible. Travel, lodging and per diem, if required, is the responsibility of the City. Mutually agreeable dates and times will be arranged at a later date. Generally, training occurs once per month at the Arizona location.

49. The State Auditor's Report of July 2002 encourages law enforcement personnel involved with automated enforcement programs to visit the physical plant where back office operations are performed at least once a year.

Forms for Approval/ Completion

50. The forms listed below need to be reviewed and/or completed:

- Warning Letter
- Notice to Appear (front)
- Notice to Appear (back)
- Juvenile Notice to Appear (front)
- Juvenile Notice to Appear (back)
- Affidavit of Non-Liability
- Instructions Page(s)
- **Note:** If a Spanish instructions page is required, this should be verified by the court.
- DMV Requestor Code Forms (2)

Both parties agree that the business rules are a guide and that from time to time changes will need to be made. Both parties agree that when changes are required Redflex Traffic Systems and the City of Hayward will discuss the changes and initiate them within a reasonable amount of time and at the most economical cost possible.

Attachment A

Cal Trans Yellow Change Interval Chart

Yellow Change Intervals

The purpose of the yellow signal indication is to warn traffic approaching the signal that the related green movement is ending or that a red indication will be exhibited immediately thereafter and traffic will be required to stop when the red signal is exhibited. The length of the yellow change interval is dependent upon the speed of approaching traffic. Suggested yellow intervals are shown below are calculated by using the formula as shown in Table 9-1:

Approach Speed Yellow Interval mph (km/h) (seconds)

25 or less (40 or less).....	3.0
30 (48).....	3.2
35 (56).....	3.6
40 (64).....	3.9
45 (72).....	4.3
50 (80).....	4.7
55 (89).....	5.0
60 (97).....	5.4
65 (105).....	5.8

Taken from the California Department of Transportation, Traffic Manual, Chapter 9-04.5

Yellow Change Intervals

<http://www.dot.ca.gov/hq/traffops/signtech/signdel/trafficmanual.htm>

Attachment B

Electronic (soft copy) Dismissal List

If the court so chooses they may elect to receive the dismissal report in an e-mail. The format is as follows:

Dismissal Request Report

Citation#	Corp License#	State	Viol Date	Last Name, First Name	Address
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Nominations

005357540	N		23-Sep-2005	SPIVIE, PHILLIP	1246 15TH, DES MOINES, IA 50314
005366591	Y	B230115497782 MN	29-Sep-2005	BEST, CHRISTOPHER	499 NE GLENCOE ST , FRIDLEY, MN 55432
005439510	Y		15-Dec-2005	BRADY, AISHIA	1671 GOSHEN RD B4, AUGUSTA, GA 30906
006219530	N	E005058135805 MN	19-Jan-2006	AL-SAWALHAH, AVELINA	3109 3RD AVE S, MPLS, MN 55408
006220810	N	R240282730851 MN	21-Jan-2006	RUSSELL, GLENN	1030 MAGNOLIA LN, PLYMOUTH, MN 55441